

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES D. RIEL,

Petitioner,

vs.

WARDEN, San Quentin
State Prison,

Respondent.

No. CIV S-01-0507 LKK KJM

DEATH PENALTY CASE

ORDER

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At the court's direction, the parties filed a stipulation regarding the methods for taking the testimony of lay witnesses. See Docket No. 364. It appears to the court that there is nothing preventing the parties from proceeding with the depositions in lieu of in-court testimony ("testimony depositions") of lay witnesses. Within five days of the filed date of this order, the parties may file statements explaining any reasons why those testimony depositions cannot or

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1 should not proceed. If the parties agree that they may proceed, the court will rule on the methods
2 for taking the lay witness testimony.

3 DATED: June 29, 2010.

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7 U.S. MAGISTRATE JUDGE
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26 riel lay witness test.or